



IFW RCE/1614 #

PTO/SB/30 (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request For Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/943,054
Filing Date	08/30/2001
First Named Inventor	Araki
Art. Unit	1614
Examiner Name	Weddington
Attorney Docket Number	109536.161US1

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other RCE

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-0219
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

07/22/2004 AWONDAF1 00000064 080219 09943054  
01 FC:1801 770.00 DA

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Holly L. Baker	Registration No. (Attorney/Agent)	31,231
Signature	<i>Holly L. Baker</i>	Date	07/19/2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Janet McKean	Date	07/19/2004
Signature	<i>Janet McKean</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney Docket No. 109536-161

Serial No. 09/943,054

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**


Applicant(s): Araki <i>et al.</i>	)	Examiner: Weddington
	)	
Reissue Application of U.S. Patent No.: 5,945,420.	)	Group Art Unit: 1614
	)	
Application No.: 09/943,054	)	
	)	
Reissue Application Filing Date: 8/30/2001	)	
	)	
For: <b>IMMUNOPOTENTIATING AND INFECTION</b>	)	
<b>PROTECTIVE AGENT AND PRODUCTION</b>	)	
<b>THEREOF</b>	)	

**CERTIFICATE UNDER 37 C.F.R. 1.8(a)**

I hereby certify that the attached papers and fees are being deposited with the United States Postal Service under 37 C.F.R. § 1.10, sent as first class mail in an envelope addressed to the Commissioner for Patents, Mail Stop RCE, P.O. Box 1450 Alexandria, VA 22313-1450 on the date set forth below.

Date

7/19/04

  
Janet McKean

Commissioner of Patents  
Mail Stop RCE  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

Dear Sir:

Responsive to the Final Office Action mailed on June 25, 2003, Applicants respectfully request continued examination of this application under 37 C.F.R. § 1.114 in view of the following remarks.

**Listing of the Claims** begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.

**Conclusions** begin on page 12 of this paper.